

**MEMO ENDORSED**

**MICHAEL A. CARDODOZ**  
Corporation Counsel

**THE CITY OF NEW YORK  
LAW DEPARTMENT**  
100 CHURCH STREET, Rm. 3-177  
NEW YORK, NY 10007

**ARTHUR G. LARKIN**  
Senior Counsel  
Phone: (212) 788-1599  
Fax: (212) 788-9776  
ulurkin@law.nyc.gov

January 31, 2013

**BY FACSIMILE # (212) 805-7930**

Hon. James C. Francis, IV  
United States Magistrate Judge  
United States District Court  
500 Pearl Street  
New York, New York 10007

USDS SDNY
DOCUMENT
FILED 1/31/2013 PM 11:13 AM
L
D
1/31/13

Re: Mark Nunez v. City of New York, et al., 11-CV-5845 (LTS) (JCF)

Your Honor:

We write to request an additional, two-week extension of the date by which defendants' answer is due in this class action lawsuit, from February 1, 2013, to February 15, 2013. Plaintiff's consent to this request. The reason for our request is that several internal DOC investigations of the use of force incidents at issue in the case remain ongoing, and as a result the Corporation Counsel is not able to conduct representation interviews of the officers involved in those incidents. After the investigations are completed, our office will be in a position to interview the defendant officers and make representation decisions. Although the City has not yet answered, the parties have undertaken substantial steps in discovery. We have exchanged discovery demands, amicably resolved most of the disputes that have arisen, and the City has produced approximately 300,000 pages of documents. In addition, the City has stipulated to class certification and the parties are now discussing the contents of the class notice and the means by which it will be distributed to class members.

Respectfully submitted,

Arthur G. Larkin (AL 9059)  
Assistant Corporation Counsel

cc: All Counsel (by facsimile)

1/31/13  
Application granted.  
so ORDERED.  
Jamee C. Francis IV  
USM J